



# Florida Fruit & Vegetable Association

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July 21, 2004

Frank C. Johns, Jr., Chairman of the Board  
Tony DiMare, Vice Chairman  
Michael J. Stuart, President

Agricultural Marketing Service, U.S.D.A.  
Standardization Section, Fresh Products Branch  
Attn: Administrator Yates  
1400 Independence Ave. SW  
Room 1661 South Building, Stop 0240  
Washington, DC 20250-0240

Re: Comment to Federal Register; Volume 69; Number 114; Page 33345; Published Tuesday, June 15, 2004. Titled under Agricultural Marketing Service, Grade Standards, Sweet Peppers. Proposed revision of grade standards on fresh market sweet pepper.

Dear Administrator Yates:

The Florida Fruit & Vegetable Association would like to take this opportunity to comment on the proposed revision of grade standards for sweet pepper. The Florida Fruit & Vegetable Association (FFVA) is an association that has represented producers of fruits and vegetables in the state of Florida for over sixty years. Our members produce approximately eighty percent of the fruits and vegetables grown in the state.

The opinion of FFVA, on behalf of our sweet pepper producer members, is to revise the current USDA grade standards for sweet bell peppers regarding the tolerance for decay on the stem and calyx of the fruit. Presently, in order to meet a U.S. No. 1 grade, the standard allows a total of 10% damage, which includes a 2% decay tolerance. The decay tolerance includes decay found on the walls, stem, and calyx, and decay found in this area is scored as very serious damage; there is no distinction between decay found on the edible portion of the sweet pepper, versus the un-edible portion. Even though it is obvious that decay affecting the stem is not as serious as decay on the walls of the fruit.

PACA good delivery standards allow up to 4% decay at destination, if the transit time is four days or more. If a producer has a load of peppers that is inspected at destination that contains 5% decay affecting the stem only, the producer is in breach of contract, or "out of grade" and will receive much less than the price it was originally sold for.

A breach of contract should not occur in the example above because decay of the stem or calyx does not impact the value of the pepper or its' ability to be consumed, unlike decay on the walls of the pepper. The stem and calyx are woody and fibrous, and the stem often turns black after being cut from the plant. The discoloration may sometimes be confused with decay. Also, decay affecting the stem often dries up after it is taken from the cool temperatures of a cooler. Therefore, all that is left is the darker discoloration on the end

of the stem where it was cut from the plant. So the decay on the stem that was scored on the inspection is not a factor, as the buyer is able to sell the product at presumably the current market price, while the producer is forced to take a loss because stem decay was scored against the grade as very serious damage.

FFVA requests that decay of the stem and calyx not be scored against the grade standard. Instead, it should be only noted by the inspector on the notesheet, but not reported on the inspection certificate as a grade or condition defect.

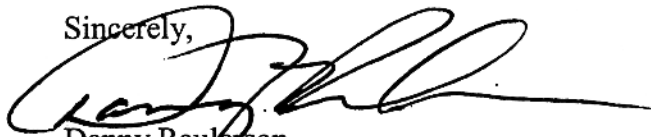
The terms "chocolate" and "suntan" are used to describe peppers that have begun to break down from being over-exposed to direct sunlight. These fruit are inferior to providing a high-quality U.S. No. 1 grade product to the fresh market. However, "chocolate" or "suntan" fruit can still be sold on the "chopper" market to be processed.

The industry handles the buying and selling of "chocolate" or "suntan" fruit differently than the fruit intended for fresh market and handles it in an efficient manner. The stage in which a sweet pepper that is "suntan" or "chocolate" breaks down depends on many factors, but one common denominator is the fruit is breaking down and will break down at different rates. Therefore, the condition of a shipment will vary from origination to destination. Many buyers will also use these terms against the producer. This variance will cause a division between the producer and buyer and may result in a dispute over nearly every shipment.

If these colors are added to grade standards for inspection, it will hinder the ability of the producer to market a product not intended for fresh market. Therefore, FFVA is not in favor of the inclusion of the terms "chocolate" or "suntan" into the grade standards for sweet pepper.

FFVA respectfully submits this opinion to the administrator and is open to discussion on any of the issues in this letter. Thank you for this opportunity to comment.

Sincerely,



Danny Raulerson

Director

Marketing & International Trade



*Florida Fruit & Vegetable Association*

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